

# **EXHIBIT 1**

AST 27  
REV. 1/01FATALITY / INCOMPLETE  
ALABAMA UNIFORM TRAFFIC ACCIDENT REPORTDPS  
Accident No.

COPY

Shaded Areas To Be Used By Data Processing Only

Sheet 1 of 4 Sheet(s)

Microfilm No.

Local Case No.

LOCATION AND TIME	Date	09 02 2004	Time	AM 3 : 25	Day of Week	MT	County	46	City	MACON COUNTY ROAD 30	State	X	Highway Classification	Municipal	Local Zone								
	Month	Day	Year										1 - Interstate	P - Private Prop.									
													2 - Federal	O - County									
													3 - Foreign	D - Other									
DRIVER	On Street/Road or Highway				At Intersection of or Between (Node 1)				And (Node 2)				NON-COLLISION EVENT										
	I-85				MACON COUNTY ROAD 30				MACON COUNTY ROAD 93				12 - Professional										
	Intersection Related	Mile Post	Street or Road Code	Node 1 Code	7245	Node 2 Code	7205	Node 3 Code		Node 4 Code		Node 5 Code		Node 6 Code		Node 7 Code							
	1 - Node 1	2 - Node 2	3 - Not Int Relatd	4 - Not Int Relatd	24.50	5 - Main Rd	6 - Primary Adr	7 - Secondary Adr	8 - Interchange	9 - Exit Ramp	10 - Prime Ctr Cntr	11 - Prime Ctr Unit No	12 - Interchange	13 - Driver's Vehicle	14 - Motor Vehicle								
	First Harmful Event	Event Location	Distance to Fixed Object			9 - Hwy	10 - Loc	11 - N/A	12 - N/A	13 - N/A	14 - N/A	15 - N/A	16 - N/A	17 - Driver's Vehicle	18 - Motor Vehicle								
	77	3	17	FT										19 - Pedestrian	20 - Non-Pedestrian								
	Driver Full Name	Street Address				City and State				2a				Telephone No									
	VERNELL B MORRIS	16633 STEPHANIE STREET				BATON ROUGE LA				70819				225 275-1102									
	DL Class	DL Status	DL Expiration	Not Complied With	CDL Class	CDL Status	CDL Expiration	Not Complied With	CDL Class	CDL Status	CDL Expiration	Not Complied With	CDL Class	CDL Status	CDL Expiration	Not Complied With							
	A	C	004380900		A	C			C	C			C	C									
Place of Employment				Liability Insurance Co.				SOCIAL SECURITY NO															
PANTHER II TRANSPORTATION INC. MEDINA OHIO				ZURICH AMERICAN INSURANCE				4 3 1 4 1 1 1 7 1 5 1 3 1 1															
Driver Condition:				Officer's Options:				Type Test:				1 - Driver Test											
1 - N.D.O.	2 - Impaired	3 - Fatigued	4 - Other	5 - Driver	6 - Pass.	7 - Bus/Pass.	8 - Ambulance/Paramedical	9 - Explosive	10 - Gas	11 - Flammable Liquids	12 - Flammable Solids	13 - Oxidizer/Peroxide	14 - Corrosive Material	15 - Radioactive Material	16 - Other								
5 - Drowsy	6 - Distracted	7 - Drowsy	8 - Distracted	9 - Driver	10 - Pass.	11 - Bus/Pass.	12 - Ambulance/Paramedical	13 - Explosive	14 - Gas	15 - Flammable Liquids	16 - Flammable Solids	17 - Oxidizer/Peroxide	18 - Corrosive Material	19 - Radioactive Material	20 - Other								
Maneuver:				Road Code:				Level Direction:				Other Circumstances:											
01	I-85				I085				(N) E S W A - Normal Rd U - Unk				99										
Yr Year	Make	Model	Body	V.M.	Street or R.F.D.				CITY				Prime Hrm Event:										
1998	KW	N/A	NA	NA	104 WEST 40 HIGHWAY				BATES CITY				20										
Owner's Name:				CITY				STATE ZIP				Event Loc:											
LAFAYETTE INVESTMENTS INC				MO 64011																			
Type				Usage				Hazardous Cargo				Attachment				Contributing Defect							
1 - Auto	11 - Moped	4 - Personal	10 - Police	1 - None	7 - None	1 - None	7 - Camper Trailer	1 - None	6 - Windows/Windshield	1 - Brakes	2 - Towed Vehicle	1 - Mobile Home	2 - Steering	1 - Restraint Sys.	1 - Brakes								
2 - Sta. Wagon	12 - M. Scooter	2 - Driver Trng.	11 - Other	2 - Explosive	8 - Business	2 - Explosive	2 - Towed Vehicle	2 - Towed Vehicle	2 - Windshield	2 - Brakes	3 - Tanker	2 - Semi-Trailer	2 - Steering	2 - Restraint Sys.	2 - Brakes								
3 - Pick Up	13 - Pedal Cycle	3 - Construction	3 - Business	3 - Gas	3 - Gas	3 - Gas	3 - Towed Vehicle	3 - Tanker	3 - Windshield	3 - Brakes	4 - Utility Trailer	3 - Utility Trailer	3 - Steering	3 - Restraint Sys.	3 - Brakes								
4 - Van	14 - Farm Mach.	4 - Ambulance/Paramedical	4 - Ambulance/Paramedical	4 - Flamm Combust Liquids	5 - Flammable Liquids	4 - Flamm Combust Liquids	4 - Utility Trailer	4 - Utility Trailer	4 - Windshield	4 - Brakes	5 - Wheel Trailer	4 - Wheel Trailer	4 - Steering	4 - Restraint Sys.	4 - Brakes								
5 - Truck Tractor	15 - Tractor	6 - Military	6 - Military	6 - Fire Fighting	7 - Poison	6 - Fire Fighting	5 - Wheel Trailer	5 - Wheel Trailer	5 - Windshield	5 - Brakes	6 - Double Trailer	5 - Double Trailer	5 - Steering	5 - Restraint Sys.	5 - Brakes								
6 - Other Truck	16 - Road Equip.	7 - Comm Bus	7 - Comm Bus	8 - Other	9 - Other	7 - Poison	6 - Double Trailer	6 - Double Trailer	6 - Windshield	6 - Brakes	7 - Other	6 - Other	6 - Steering	6 - Restraint Sys.	6 - Brakes								
7 - Other Truck	17 - Ridden Animal	8 - School Bus	8 - School Bus	9 - Other	10 - Other	8 - Other	7 - Other	7 - Other	7 - Windshield	7 - Brakes	8 - Other	7 - Other	7 - Steering	7 - Restraint Sys.	7 - Brakes								
9 - School Bus	18 - M. Home (R.V.)	10 - ATV	10 - ATV	11 - Other	12 - Other	10 - Other	11 - Other	11 - Other	11 - Windshield	11 - Brakes	12 - Other	11 - Other	11 - Steering	11 - Restraint Sys.	11 - Brakes								
10 - Mopedcycle	11 - Other	12 - Other	13 - Other	14 - Other	15 - Other	12 - Other	13 - Other	13 - Other	13 - Windshield	13 - Brakes	14 - Other	13 - Other	13 - Steering	13 - Restraint Sys.	13 - Brakes								
Speed Limit				Est Speed				Crash Offense Charged				Damage Severity				Vehicle Towed Away?							
70 MPH	70 MPH	NONE								1 - Non Visible	2 - Not Disabled	(Y) Yes (N) No				Occupants In Unit:							
Vehicle Towed By Whom:				THROWER'S WRECKER LOT				To Where:				THROWER'S WRECKER LOT TUSKEGEE AL											
Driver Full Name:				Street Address:				City and State:				2a				Telephone No:							
EDWARD NEAL THOMPSON				801 5TH AVENUE				GENEVA AL				36340				334 684-3945							
DL Class	DL Status	DL Expiration	Not Complied With	CDL Class	CDL Status	CDL Expiration	Not Complied With	CDL Class	CDL Status	CDL Expiration	Not Complied With	CDL Class	CDL Status	CDL Expiration	Not Complied With								
A	C			A	C			C	C			C	C										
Place of Employment:				Liability Insurance Co.:				SOCIAL SECURITY NO:															
FLORIDA TRANSFORMER DEFUNIAK SPRINGS FL				AIG				4 1 1 7 1 1 8 1 9 3 1 1 1 9															
Driver Condition:				Officer's Options:				Type Test:				1 - Blind Test				2 - Under Test							
1 - N.D.O.	2 - Impaired	3 - Fatigued	4 - Other	5 - Driver	6 - Pass.	7 - Bus/Pass.	8 - Ambulance/Paramedical	9 - Explosive	10 - Gas	11 - Flammable Liquids	12 - Flammable Solids	13 - Oxidizer/Peroxide	14 - Corrosive Material	15 - Radioactive Material	16 - Other								
5 - Drowsy	6 - Distracted	7 - Drowsy	8 - Distracted	9 - Driver	10 - Pass.	11 - Bus/Pass.	12 - Ambulance/Paramedical	13 - Explosive	14 - Gas	15 - Flammable Liquids	16 - Flammable Solids	17 - Oxidizer/Peroxide	18 - Corrosive Material	19 - Radioactive Material	20 - Other								
Maneuver:				Road Code:				Level Direction:				Other Circumstances:				Prime Hrm Event:							
01	I-85				I085				(N) E S W A - Normal Rd U - Unk				97				20						
Yr Year	Make	Model	Body	V.M.	Street or R.F.D.				CITY				License Tag Number:				Event Loc:						
1995	PTRB	N/A	NA	VJN	1XP5DB9X0SN376286				DEFUNIAK SPRINGS				A50 67P				FL 2005						
Owner's Name:				Street or R.F.D.:				CITY				STATE ZIP:											
FLORIDA TRANSFORMER				PO BOX 507				DEFUNIAK SPRINGS				FL 32435											
Type				Usage				Hazardous Cargo				Attachment				Contributing Defect				Circle areas Damaged On Diagram			
1 - Auto	11 - Moped	4 - Personal	10 - Police	1 - None	7 - None	1 - None	7 - Camper Trailer	1 - None	6 - Windows/Windshield	1 - Brakes	2 - Towed Vehicle	1 - Mobile Home	2 - Steering	1 - Restraint Sys.	1 - Brakes								
2 - Sta. Wagon	12 - M. Scooter	2 - Driver Trng.	11 - Other	2 - Explosive	8 - Business	2 - Explosive	2 - Towed Vehicle	2 - Towed Vehicle	2 - Windshield	2 - Brakes	3 - Tanker	2 - Semi-Trailer	2 - Steering	2 - Restraint Sys.	2 - Brakes								
3 - Pick Up	13 - Pedal Cycle	3 - Construction	3 - Business	3 - Gas	4 - Ambulance/Paramedical	3 - Gas	3 - Towed Vehicle	3 - Tanker	3 - Windshield	3 - Brakes	4 - Utility Trailer	3 - Utility Trailer	3 - Steering	3 - Restraint Sys.	3 - Brakes								
4 - Van	14 - Farm Mach.	4 - Ambulance/Paramedical	4 - Ambulance/Paramedical	4 - Flamm Combust Liquids	5 - Flammable Liquids	4 - Flamm Combust Liquids	4 - Utility Trailer	4 - Utility Trailer	4 - Windshield	4 - Brakes	5 - Wheel Trailer	4 - Wheel Trailer	4 - Steering	4 - Restraint Sys.	4 - Brakes								
5 - Truck Tractor	15 - Tractor	6 - Military	6 - Military	6 - Fire Fighting	7 - Poison	6 - Fire Fighting	5 - Wheel Trailer	5 - Wheel Trailer	5 - Windshield	5 - Brakes	6 - Double Trailer	5 - Double Trailer	5 - Steering	5 - Restraint Sys.	5 - Brakes								
6 - Other Truck	16 - Road Equip.	7 - Comm Bus	7 - Comm Bus	8 - Other	9 - Other	7 - Poison	6 - Double Trailer	6 - Double Trailer	6 - Windshield	6 - Brakes	7 - Other	6 - Other	6 - Steering	6 - Restraint Sys.	6 - Brakes								
7 - Other Truck	17 - Ridden Animal	8 - School Bus	8 - School Bus	9 - Other	10 - Other	8 - Other	7 - Other	7 - Other	7 - Windshield	7 - Brakes	8 - Other	7 - Other	7 - Steering	7 - Restraint Sys.	7 - Brakes								
8 - School Bus	18 - M. Home (R.V.)	9 - Other	10 - Other	11 - Other	12 - Other	9 - Other	10 - Other	10 - Other	10 - Windshield	10 - Brakes	11 - Other	10 - Other	10 - Steering	10 - Restraint Sys.	10 - Brakes								
9 - Other Bus	19 - ATV	10 - Other	11 - Other	12 - Other	13 - Other	10 - Other	11 - Other	11 - Other	11 - Windshield	11 - Brakes	12 - Other	11 - Other	11 - Steering	11 - Restraint Sys.	11 - Brakes								
10 - Mopedcycle	11 - Other	12 - Other	13 - Other	14 - Other	15 - Other	12 - Other	13 - Other	13 - Other	13 - Windshield	13 - Brakes	14 - Other	13 - Other	13 - Steering	13 - Restraint Sys.	13 - Brakes								
Speed Limit				Est Speed				Crash Offense Charged				Damage Severity				Vehicle Towed Away?							
70 MPH	70 MPH	NONE								1 - Non Visible	2 - Not Disabled	(Y) Yes (N) No				Occupants In Unit:							
Vehicle Towed By Whom:				THROWER'S WRECKER SERVICE				To Where:				THROWER'S WRECKER LOT TUSKEGEE AL											
Driver Maneuver:																							
1 - On Roadway-Ahead				2 - Left Turn				3 - Right Turn				4 - On Roadway-Against Traffic				5 - On Roadway-Left Turn				6 - On Roadway-Right Turn			
2 - Left Turn				3 - Right Turn				4 - Left Turn				5 - Right Turn				6 - On Roadway-Left Turn				7 - On Roadway-Right Turn			
3 - Right Turn				4 - Left Turn				5 - Right Turn				6 - On Roadway-Left Turn				7 - Right Turn				8 - On Roadway-Right Turn			
4 - Left Turn				5 - Right Turn				6 - Left Turn				7 - Right Turn				8 - On Roadway-Left Turn				9 - On Roadway-Right Turn			
5 - Right Turn				6 - Left Turn				7 - Right Turn				8 - On Roadway-Left Turn				9 - Right Turn				10 - On Roadway-Right Turn			
6 - Left Turn				7 - Right Turn				8 - Left Turn				9 - Right Turn				10 - On Roadway-Left Turn				11 - Right Turn			
7 - Right Turn				8 - Left Turn				9 - Right Turn				10 - On Roadway-Left Turn				11 - Left Turn				12 - Right Turn			
8 - Left Turn				9 - Right Turn				10 - Left Turn				11 - Right Turn				12 - On Roadway-Left Turn				13 - Left Turn			
9 - Right Turn				10 - Left Turn				11 - Right Turn				12 - On Roadway-Left Turn				13 - Right Turn				14 - On Roadway-Right Turn			
10 - Left Turn				11 - Right Turn				12 - Left Turn				13 - Right Turn				14 - On Roadway-Right Turn				15 - On Roadway-Left Turn			
11 - Right Turn				12 - Left Turn				13 - Right Turn				14 - Left Turn				15 - Right Turn				16 - On Roadway-Left Turn			
12 - Left Turn				13 - Right Turn				14 - Left Turn				15 - Right Turn				16 - On Roadway-Right Turn				17 - On Roadway-Left Turn			
13 - Right Turn				14 - Left Turn				15 - Right Turn				16 - Left Turn				17 - Right Turn				18 - On Roadway-Left Turn			
14 - Left Turn				15 - Right Turn				16 - Left Turn				17 - Right Turn				18 - On Roadway-Right Turn				19 - On Roadway-Left Turn			
15 - Right Turn				16 - Left Turn				17 - Right Turn				18 - Left Turn				19 - Right Turn				20 - On Roadway-Left Turn			
16 - Left Turn				17 - Right Turn				18 - Left Turn				19 - Right Turn				20 - On Roadway-Right Turn				21 - On Roadway-Left Turn			
17 - Right Turn				18 - Left Turn				19 - Right Turn				20 - Left Turn				21 - Right Turn				22 - On Roadway-Left Turn			
18 - Left Turn				19 - Right Turn				20 - Left Turn				21 - Right Turn				22 - On Roadway-Right Turn				23 - On Roadway-Left Turn			
19 - Right Turn				20 - Left Turn				21 - Right Turn				22 - Left Turn				23 - Right Turn				24 - On Roadway-Left Turn			
20 - Left Turn				21 - Right Turn				22 - Left Turn				23 - Right Turn				24 - On Roadway-Right Turn				25 - On Roadway-Left Turn			
21 - Right Turn				22 - Left Turn				23 - Right Turn				24 - Left Turn				25 - Right Turn				26 - On Roadway-Left Turn			
22 - Left Turn				23 - Right Turn				24 - Left Turn				25 - Right Turn				26 - On Roadway-Right Turn				27 - On Roadway-Left Turn			
23 - Right Turn				24 - Left Turn				25 - Right Turn				26 - Left Turn				27 - Right Turn				28 - On Roadway-Left Turn			
24 - Left Turn				25 - Right Turn				26 - Left Turn				27 - Right Turn				28 - On Roadway-Right Turn				29 - On Roadway-Left Turn			
25 - Right Turn				26 - Left Turn				27 - Right Turn				28 - Left Turn				29 - Right Turn				30 - On Roadway-Left Turn			
26 - Left Turn				27 - Right Turn				28 - Left Turn				29 - Right Turn				30 - On Roadway-Right Turn				31 - On Roadway-Left Turn			
27 - Right Turn				28 - Left Turn				29 - Right Turn				30 - Left Turn				31 - Right Turn				32 - On Roadway-Left Turn			
28 - Left Turn				29 - Right Turn				30 - Left Turn				31 - Right Turn				32 - On Roadway-Right Turn				33 - On Roadway-Left Turn			
29 - Right Turn				30 - Left Turn				31 - Right Turn				32 - Left Turn				33 - Right Turn				34 - On Roadway-Left Turn			
30 - Left Turn				31 - Right Turn				32 - Left Turn				33 - Right Turn				34 - On Roadway-Right Turn				35 - On Roadway-Left Turn			
31 - Right Turn				32 - Left Turn				33 - Right Turn				34 - Left Turn				35 - Right Turn				36 - On Roadway-Left Turn			
32 - Left Turn				33 - Right Turn				34 - Left Turn				35 - Right Turn				36 - On Roadway-Right Turn				37 - On Roadway-Left Turn			
33 - Right Turn				34 - Left Turn				35 - Right Turn				36 - Left Turn				37 - Right Turn				38 - On Roadway-Left Turn			
34 - Left Turn				35 - Right Turn				36 - Left Turn				37 - Right Turn				38 - On Roadway-Right Turn				39 - On Roadway-Left Turn			
35 - Right Turn				36 - Left Turn				37 - Right Turn				38 - Left Turn				39 - Right Turn				40 - On Roadway-Left Turn			
36 - Left Turn				37 - Right Turn				38 - Left Turn				39 - Right Turn				40 - On Roadway-Right Turn				41 - On Roadway-Left Turn			
37 - Right Turn				38 - Left Turn				39 - Right Turn				40 - Left Turn				41 - Right Turn				42 - On Roadway-Left Turn			
38 - Left Turn				39 - Right Turn				40 - Left Turn				41 - Right Turn				42 - On Roadway-Right Turn				43 - On Roadway-Left Turn			
39 - Right Turn				40 - Left Turn				41 - Right Turn				42 - Left Turn				43 - Right Turn</td							

SEATING	<table border="1"> <tr><td>1</td><td>2</td><td>3</td></tr> <tr><td>4</td><td>5</td><td>6</td></tr> <tr><td>7</td><td>8</td><td>9</td></tr> </table>			1	2	3	4	5	6	7	8	9	<table border="1"> <tr><td>10</td><td>(Circle One)</td></tr> <tr><td>11</td><td>12 - Rider of Domestic Animal 13 - Occupant of Non-Motorized Vehicle 14 - Victim of Other Circumstances/ Codes Not Applicable</td></tr> </table>			10	(Circle One)	11	12 - Rider of Domestic Animal 13 - Occupant of Non-Motorized Vehicle 14 - Victim of Other Circumstances/ Codes Not Applicable	<table border="1"> <tr><td>1</td><td>2</td><td>3</td></tr> <tr><td>4</td><td>5</td><td>6</td></tr> <tr><td>7</td><td>8</td><td>9</td></tr> <tr><td>10</td><td>11</td><td>12</td></tr> </table>			1	2	3	4	5	6	7	8	9	10	11	12	<table border="1"> <tr><td>13 - Rider of Domestic Animal 14 - Occupant of Non-Motorized Vehicle 15 - Victim of Other Circumstances/ Codes Not Applicable</td></tr> </table>			13 - Rider of Domestic Animal 14 - Occupant of Non-Motorized Vehicle 15 - Victim of Other Circumstances/ Codes Not Applicable			
	1	2	3																																						
4	5	6																																							
7	8	9																																							
10	(Circle One)																																								
11	12 - Rider of Domestic Animal 13 - Occupant of Non-Motorized Vehicle 14 - Victim of Other Circumstances/ Codes Not Applicable																																								
1	2	3																																							
4	5	6																																							
7	8	9																																							
10	11	12																																							
13 - Rider of Domestic Animal 14 - Occupant of Non-Motorized Vehicle 15 - Victim of Other Circumstances/ Codes Not Applicable																																									
	Other Involved Safety Equipment						Other Involved Safety Equipment																																		
VICTIMS	Name: VERNELL B MORRIS			Address: 16633 STEPHANIE ST BATON ROUGE LA			Unit No: 1			Seat Pos:	Injury Type:	Age:	Sex:	Expo- sure:	Find Abn:																										
										K	43	M	F	A																											
NSA	Name: EDWARD NEAL THOMPSON			Address: 801 5TH AVENUE GENEVA AL			Unit No: 2			Seat Pos:	Injury Type:	Age:	Sex:	Expo- sure:	Find Abn:																										
										C	41	M	N	A																											
CODES	Taken To: ALABAMA DEPT OF FORENSIC SCIENCES MONTGOMERY AL ALDFS			Taken By:			Taken To: TALLASSEE COMMUNITY HOSPITAL TALLASSEE AL CARE AMBULANCE			Taken By:																															
										A																															
<table border="1"> <tr> <td colspan="3">Injury Type:</td> <td colspan="3">Ejected:</td> <td colspan="3">First Aid By:</td> <td colspan="3">P - Police</td> </tr> <tr> <td colspan="3">A - Visible or Certified Death Scene B - Bruises/Abrasions/Swelling C - Hot/Warm - Was Pain/Pain</td> <td colspan="3">H - Not F - Fully P - Partially</td> <td colspan="3">A - Ambulance Attended T - Transport U - Unknown A - Not Applicable</td> <td colspan="3">M - Paramedic O - Other</td> <td colspan="3">U - Unknown N - None</td> </tr> </table>															Injury Type:			Ejected:			First Aid By:			P - Police			A - Visible or Certified Death Scene B - Bruises/Abrasions/Swelling C - Hot/Warm - Was Pain/Pain			H - Not F - Fully P - Partially			A - Ambulance Attended T - Transport U - Unknown A - Not Applicable			M - Paramedic O - Other			U - Unknown N - None		
Injury Type:			Ejected:			First Aid By:			P - Police																																
A - Visible or Certified Death Scene B - Bruises/Abrasions/Swelling C - Hot/Warm - Was Pain/Pain			H - Not F - Fully P - Partially			A - Ambulance Attended T - Transport U - Unknown A - Not Applicable			M - Paramedic O - Other			U - Unknown N - None																													
NARRATIVE AND DIAGRAM																																									

Officer's Opinion of What Happened:

## SEE SUPPLEMENTAL SHEET

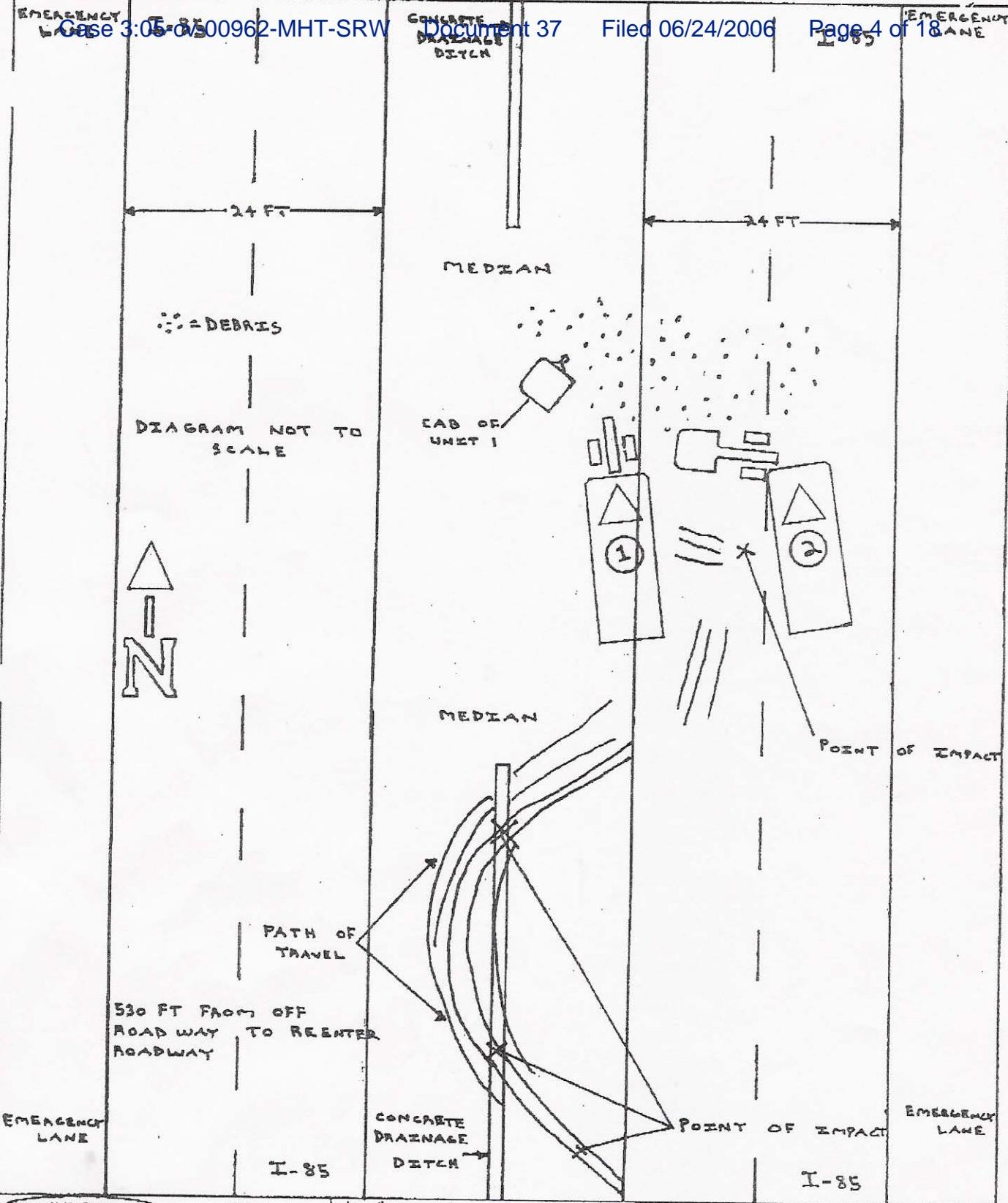
N/A	For Each Roadway Environment Field, Circle One Entry for Each Involved Unit														
	Unit 1 <input checked="" type="checkbox"/> 1 None	Contributing Road Defects <input checked="" type="checkbox"/> 1 - Shoulder Low 2 - Shoulder High 3 - Holes, Bumps, Etc. 4 - Other	Surface Construction <input checked="" type="checkbox"/> 1 - Asphalt 2 - Concrete 3 - Brick 4 - Unpaved 5 - Other	Condition <input checked="" type="checkbox"/> 1 - Dry 2 - Wet 3 - Icy 4 - Slushy/Blustery 5 - Muddy 6 - Other	Accident In Or Related To Road Construction Zone? <input checked="" type="checkbox"/> Yes No	Material In Roadway (Contributing) <input checked="" type="checkbox"/> 1 - None 2 - Rocks 3 - Tree/Limbs 4 - Dirt	Material Source <input checked="" type="checkbox"/> 1 - Not Applicable 2 - Natural Environment 3 - Dropped From Vehicle 4 - Already in Road: Bit 5 - From Vehicle 6 - Other 7 - Unknown	Character <input checked="" type="checkbox"/> 1 - Straight—Level 2 - Straight—Down Grade 3 - Straight—Up Grade 4 - Straight—Hillcrest 5 - Curve—Level							
N/A	Unit 2 <input checked="" type="checkbox"/> 2 None														
ROADWAY ENVIRONMENT	Vision Obscured By: <input checked="" type="checkbox"/> 1 - Not Obscured 1 - Buildings 2 - Signboards 3 - Trees, Crops, Bushes 4 - Blowing Snow/Sand 5 - Hail/Street 6 - Curve In Road 7 - Fog 8 - Parked Vehicle 9 - Moving Vehicle(s)							Traffic Control: 1 - Police Officer 2 - R.R. Crossing Gates 3 - R.R. Flashing Lights 4 - R.R. Cross Gates/Level Mark 5 - Pedestrian Control 6 - Traffic Signal 7 - Flashing Beacon 8 - Stop Sign 9 - Yield Sign 10 - Lane Control Device			Opposing Lane Separated By: 67 - None 1 - Paved Surface 2 - Unpaved Surface 3 - Solid Painted Line 4 - Concrete Barrier 5 - Metal Guard Rail 6 - Fence 7 - Other Barrier			Traffic Lanes: 1 - One Lane 2 - Two Lanes 3 - Three Lanes 4 - Four Lanes 5 - Five Lanes 6 - Six Lanes or More	
INVESTIGATION	Light 1 - Daylight 2 - Dawn 3 - Dusk	Weather ② - Darkness—Road Not Lit ③ - Darkness—Road Lit 1 - Clear 2 - Cloudy 3 - Rain 4 - Snow	Locality ① - Open Country 2 - Residential 3 - Shopping or Business 4 - Ind. or Industrial	Non-Vehicular Property Damage 1 - None Visible 2 - Light 3 - Moderate 4 - Severe	Property Damage Description Description: TRAFFIC CONTROL ROAD SIGN										
	Time Police Notified 3 : 31 PM	Time Police Arrived 4 : 04 PM	Time EMS Arrived 4 : 07 PM	Name of Photographer SGT. JAMES PATTERSON				Owner: EAST ALABAMA PAVING COMPANY Address: OPELIKA ALABAMA							
Witness Full Name N/A	Address						Telephone								
Witness Full Name N/A	Address						Telephone								
Name of Investigating Officer TROOPER ALEX F. HUNLEY	Officer ID: 1109			Agency ORI: ALAST4300			Supervisor Reviewed								
Name of Other Investigating Officers or Agents SGT. JAMES PATTERSON	Officer ID: 133			Agency ORI: ALAST0300											

The data on this report reflects my best knowledge, opinion and belief concerning the accident, but no warrant is made as to the factual accuracy thereof.

Signature of Investigating Officer

*Alex F. Huntley*

Date 09-07-04



**ALABAMA  
UNIFORM TRAFFIC ACCIDENT REPORT**

**COPY**  
LOCAL CASE

SHEET 2 OF 4 SHEET(S)

AET No. 34 Rev. 4/85

**SUPPLEMENTAL SHEET**

Unit No.	Sect. Pos.	Injury Type	Age	Sex	Elec- tron.	First Aid By
2	3	C	35	M	N	A

ADDITIONAL ACCIDENT VICTIMS

ADDITIONAL NARRATIVE SPACE

3	Name	WILLIAM TIDWELL	Address	1204 PETTY ROAD WESTVILLE FL	Taken by	CARE AMBULANCE
4	Name	N/A	Address			
5	Name		Address			
6	Name		Address			
7	Name		Address			
8	Name		Address			
9	Name		Address			
10	Name		Address			
11	Name		Address			
12	Name		Address			

**DESCRIBE WHAT HAPPENED (Refer to vehicles by number) UNIT 1 WAS TRAVELING NORTHBOUND ON I-85.**

UNIT 1 LEFT THE LEFT SIDE OF THE ROADWAY, WENT DOWN AN EMBANKMENT, STRUCK A ROAD SIGN, STRUCK A DRAINAGE DITCH, WENT UP AN EMBANKMENT, CAME DOWN AN EMBANKMENT, STRUCK A DRAINAGE DITCH, WENT UP AN EMBANKMENT, OVERTURNED ON THE DRIVER'S SIDE, CAME BACK ONTO THE ROADWAY BLOCKING BOTH LANES OF NORTHBOUND I-85, AND IS STRUCK BY UNIT 2 TRAVELING NORTHBOUND ON I-85. AT THE TIME OF THE COLLISION DRIVER OF UNIT 2 ADVISED HE WAS UNABLE TO SEE UNIT 1 IN THE ROADWAY. INVESTIGATION REVEALED THAT AT THE TIME OF THE COLLISION DUE TO THE POSITIONING OF UNIT 1 UPON COMING BACK ONTO THE ROADWAY THE BOTTOM OF THE UNDERCARRIAGE WAS THE ONLY PART OF THE VEHICLE THAT COULD HAVE BEEN SEEN BY THE DRIVER OF UNIT 2. UNIT 1 WAS FURTHER TRANSPORTING TITANIUM DIOXIDE IN DRY BULK FORM. THERE WERE 22 PALLETS OF TITANIUM DIOXIDE R101-04 WITH A WEIGHT OF 2000 POUNDS EACH. THE FREIGHT WAS BEING DELIVERED TO THE STANDRIDGE COLOR CORPORATION IN SOCIAL CIRCLE GEORGIA. NONE OF THE MATERIAL WAS SPILLED NOR WERE ANY OF THE PACKAGES RUPTURED OR DAMAGED. THE MATERIAL REQUIRED PROPER HANDLING AND STORAGE DUE TO ITS POTENTIAL TO BECOME HAZARDOUS. ALL HANDLING AND STORAGE WAS DONE BY THROWER'S WRECKER SERVICE.

Unit No. 2  
(same as on main report)Alabama Uniform Traffic Accident Report  
Truck/Bus Supplemental SheetAST-347  
1/94

Sheet 3 of 4 Sheets

## General Instructions

Complete this form for each qualifying vehicle ONLY if the accident meets BOTH of the following criteria:

1. The accident involved a qualifying vehicle (truck with 6 or more tires or Haz/Mat placard, or a bus designed to carry 16 or more, including driver) and;
2. The accident resulted in at least one of the following: A. one or more fatalities B. one or more persons injured and taken from the scene for immediate medical attention, or C. one or more involved vehicles had to be towed from the scene as a result of disabling damage or had to receive assistance to leave.

## Screening Information

## Number of Qualifying Vehicles:

## Number of Persons:

Trucks with 6 or more tires or Haz/Mat placard 2Sustaining fatal injuries 1

Buses designed to carry 16 or more (including driver) \_\_\_\_\_

Transported for immediate medical treatment 2Number of vehicles towed from scene due to damage or provided assistance 2

## Vehicle Information

## Gross Vehicle Weight Rating (GVWR):

A. Truck, tractor or bus 17000

## Hazardous Material Involvement

B. Trailer or trailers (total) 55000Did vehicle have a Haz/Mat placard Yes  NoTotal GVWR for unit (A+B) 72000

If Yes, include following information from placard

Total number of axles 5A. Name or 4-digit number from diamond or box NAB. The 1-digit number from bottom of diamond NAWas hazardous material released from THIS vehicle's cargo? Yes  No

## Vehicle Configuration (circle one number)

1. Bus      2. Single unit truck (2 axles/ 6 or more tires)      3. Single unit truck (3 or more axles)  
 4. Truck with trailer      5. Truck tractor only (bobtail)      6. Tractor with semi-trailer      7. Tractor with double trailers  
 8. Tractor with triple trailers      9. Unknown class heavy truck      10. Any other 4-wheeled vehicle

## Cargo Body Type (circle one number)

1. Bus      2. Van/enclosed box      3. Cargo tank      4. Flatbed      5. Dump  
 6. Concrete mixer      7. Auto transporter      8. Garbage/ refuse      9. Other \_\_\_\_\_

## Motor Carrier Information

NOTE: If NOT a motor carrier, enter NONE under Carrier Name, 0 for None under Carrier Identification Numbers, and go to Sequence Of Events Section

Carrier Name FLORIDA TRANSFORMER

Source (circle one number)    1. Vehicle side    2. Shipping papers    3. Driver    4. Other

Carrier mailing address (Street or P.O. Box) PO BOX 507City, State, Zip DEFUNIAK SPRINGS FLORIDA 32435

Carrier Identification Numbers (None = 0)

US DOT 160401    ICC MC           STATE NO.           STATE       

## / Sequence of Events

Note: for THIS vehicle - list up to four    Event #1 10    Event #2           Event #3           Event #4       

<b>EVENT CODES</b>	Non-Collision	1. Ran off road 5. Cargo loss or shift	2. Jackknife 6. Explosion or fire	3. Overturned (rollover) 7. Separation of units	4. Downhill runaway 8. Other non-collision
	Collision With	9. Pedestrian 13. Pedalcycle	10. Non-parked vehicle 14. Animal	11. Parked vehicle 15. Fixed object	12. Train 16. Other object

Signature of Reporting Officer

Alex S. Hunter

Officer ID

1109

Reporting Police Agency ORI

ALAST4300

Date

09-02-2004

Time

3:25AM  
PM  
ET

Unit No.  
(same as on main report)Alabama Uniform Traffic Accident Report  
Truck/Bus Supplemental SheetAST-34T  
1/04

Shea

CO

Complete this form for each qualifying vehicle ONLY if the accident meets BOTH of the following criteria:

1. The accident involved a qualifying vehicle (truck with 6 or more tires or Haz/Mat placard, or a bus designed to carry 16 or more, including driver) and;
2. The accident resulted in at least one of the following: A. one or more fatalities B. one or more persons injured and taken from the scene for immediate medical attention, or C. one or more involved vehicles had to be towed from the scene as a result of disabling damage or had to receive assistance to leave.

## Screening Information

## Number of Qualifying Vehicles:

Trucks with 6 or more tires or Haz/Mat placard 2

Buses designed to carry 16 or more (including driver) \_\_\_\_\_

## Number of Persons:

Sustaining fatal injuries 1Transported for immediate medical treatment 2Number of vehicles towed from scene due to damage or provided assistance 2

## Vehicle Information

## Gross Vehicle Weight Rating (GVWR)

A. Truck, tractor or bus	<u>20000</u>
B. Trailer or trailers (total)	<u>60000</u>
Total GVWR for unit (A+B)	<u>80000</u>

Total number of axles 5

## Hazardous Material Involvement

Did vehicle have a Haz/Mat placard Yes  No

If Yes, include following information from placard

- A. Name or 4-digit number from diamond or box N/A  
 B. The 1-digit number from bottom of diamond N/A

Was hazardous material released from THIS vehicle's cargo? Yes  No

## Vehicle Configuration (circle one number)

1. Bus      2. Single unit truck (2 axles/ 6 or more tires)      3. Single unit truck (3 or more axles)  
 4. Truck with trailer      5. Truck tractor only (bobtail)      6. Tractor with semi-trailer      7. Tractor with double trailers  
 8. Tractor with triple trailers      9. Unknown class heavy truck      10. Any other 4-wheeled vehicle

## Cargo Body Type (circle one number)

1. Bus      2. Van/enclosed box      3. Cargo tank      4. Flatbed      5. Dump  
 6. Concrete mixer      7. Auto transporter      8. Garbage/ refuse      9. Other \_\_\_\_\_

## Motor Carrier Information

NOTE: If NOT a motor carrier, enter NONE under Carrier Name, 0 for None under Carrier Identification Numbers, and go to Sequence Of Events Section

Carrier Name PANTHER II TRANSPORTATION INC.

Source (circle one number)    1. Vehicle side    2. Shipping papers    3. Driver    4. Other

Carrier mailing address (Street or P.O. Box) 4015 MEDINA ROAD SUITE 200City, State, Zip MEDINA OHIO 44256

Carrier Identification Numbers (None = 0)

US DOT 500737    ICC MC \_\_\_\_\_ STATE NO. \_\_\_\_\_ STATE \_\_\_\_\_

## / Sequence of Events

Note: for this vehicle - list up to four    Event #1 1    Event #2 5    Event #3 3    Event #4 10

<b>EVENT CODES</b>	<b>Non-Collision</b>	1. Ran off road	2. Jackknife	3. Overturned (rollover)	4. Downhill runaway
		5. Cargo loss or shift	6. Explosion or fire	7. Separation of units	8. Other non-collision
	<b>Collision With</b>	9. Pedestrian	10. Non-parked vehicle	11. Parked vehicle	12. Train
		13. Pedalcycle	14. Animal	15. Fixed object	16. Other object

Signature of Reporting Officer

*Clare E. Huntley*

Officer ID	Reporting Police Agency ORJ	Date	Time
<u>1109</u>	<u>ALAST4300</u>	<u>09-02-2004</u>	<u>3:25</u>

(AM PM BT)

# **EXHIBIT 2**

SWORN AFFIDAVIT

Please know by these presents that on this 23rd day of March in the year 2005 did come and appear before the undersigned Notary Public in and for the County of Shelby in the State of Alabama, one Dr. Edward L. Robinson a physicist and a duly Board Certified accident reconstructionist, 233 Oakmont Road in Birmingham, Alabama 35244-3264, who did declare depose and say the following:

1. That he is a duly credentialed holder of a PhD in Physics from Purdue University received in 1962.
2. That he has received full accreditation as a Traffic Accident Reconstructionist from the Governing Board of Directors of the Accreditation Commission for Traffic Accident Reconstruction and has the Registration and certification number of 399 with the Expiration Date October 29, 2008.
3. That he is a fully accredited member of: National Association of Traffic Accident Reconstructionists and Investigators, The National Association of Professional Accident Reconstruction Specialists, The Society of Accident Reconstructionists, The Southeastern Society of Accident Reconstruction Specialists, The Texas Association of Accident Reconstruction Specialists, (member TAARS Board of Directors 1999-2003), The Institute of Traffic Accident Investigators in the United Kingdom, The Canadian Association of Technical Accident Investigators and Reconstructionists, The Australian and South Pacific Association of Collision Investigators, The American Association of Physics Teachers, The American Physical Society, The Society of Automotive Engineers and The American Society of Mechanical Engineers.
4. That he and his associates performed a detailed accident reconstruction of the accident of September 2, 2004 which involved the 1998 Kenworth tractor trailer driven by Mr. Vernell B. Morris and the 1995 Peterbilt tractor trailer driven by Mr. Edward Neal Thompson which occurred on Interstate Highway 85 northbound between Macon County Road 30 and Macon County Road 93 in Macon County, Alabama.
5. That during the course of the investigation, the accident site was inspected, measured and photographically documented.
6. That he and his associates carefully reviewed the Alabama Uniform Traffic Accident Report and reviewed all of the photographs taken by the Alabama State Troopers and reviewed both the Autopsy and Toxicological Report of the Alabama Department of Forensic Sciences (Report No. 277AA-04MM00467).
7. That the cab of the 1998 Kenworth Tractor, which was driven by Mr. Vernell B. Morris at the time of the accident, was inspected, photographed and measured, and this inspection was performed at Kern's Truck Parts near Atlanta, Georgia in the presence of Mr. Donald Glenn of Rimkus Engineering.

*Sworn Affidavit of Edward L. Robinson, Ph.D.*

*Page 2 of 3*

*March 23, 2005*

8. That he and his associates created a forensic map of the accident area and made a scale diagram of the area of the accident.
9. That he and his associates made findings based upon the detailed examination of the accident, the 1998 Kenworth tractor cab, the Alabama Uniform Traffic Accident Report, site scene photographs and the Alabama Department of Forensic Sciences' Autopsy and Toxicology Report which revealed that physical evidence shows that very much more probably than not Mr. Morris was wearing his safety belt and was alive at the time that his 1998 Kenworth tractor trailer was struck by the 1995 Peterbilt Tractor driven by Mr. Edward N. Thompson and that the damage and total destruction of the latch mechanism of Mr. Morris' seat belt very much more probably than not, was directly caused by the collision between the two trucks and not the rollover of the Kenworth.
10. That the examination of the physical evidence, State Police Report and Photographs and accident site examinations clearly reveals the deformation of the 1998 Kenworth Tractor and its driver's seat was almost certainly (very much more probably than not) caused by the collision between the two trucks and not the rollover event experienced by the 1998 Kenworth prior to the collision impact of the 1995 Peterbilt Tractor Trailer driven by Mr. Edward N. Thompson.
11. That the detailed examination of the physical evidence and the State Police Data by him and his associates reveals that both vehicles would have necessarily had their headlights on while traveling on this highway at night, and it is more probable than not that after experiencing the rollover all or substantially all of the Kenworth truck lights and trailer lights remained on with all the reflectors still functional. The tractor-trailer light reflectors more probably than not gave off some illumination that could have and should have been seen by the Peterbilt tractor trailer driver.
12. That the examination of the accident site and the review of the photographs of the accident scene taken by the Alabama State Patrol show that there is no physical evidence of any visible skid marks from the Peterbilt tractor or the trailer it was towing and the absence of such skid mark evidence shows that it is more probable than not that the Peterbilt driver was traveling at least 70 miles per hour at the moment he collided with the Kenworth tractor and that the Peterbilt driver more probable than not did not apply his brakes and/or that his brakes more probable than not failed to work because they were adjusted improperly or suffered some significant mechanical or design defect.
13. That the opinions and conclusions in this affidavit have been formulated from independent research and testing using standard methodologies accepted and utilized throughout the Vehicle Accident Reconstruction profession and have been applied to this and other similar cases.
14. The conclusions are naturally from the application of widely validated and accepted Vehicle Accident Reconstruction concepts to the facts involved in this case and are stated within a reasonable degree of certainty as an Expert in the field of Vehicle Accident Reconstruction.

STATE OF ALABAMA  
COUNTY OF SHELBY

VERIFICATION

BE IT KNOWN, that on this 23<sup>rd</sup> day of March, 2005, before me, the undersigned Notary Public, duly commissioned and qualified in and for the County of Shelby and the State of Alabama, therein residing, and in the presence of the undersigned competent witnesses came and appeared:

Edward L. Robinson, Ph.D.

resident of Birmingham, Alabama, and of the full age and majority, who declared and acknowledge that he made the foregoing statement in its entirety and attests to the truth of the matter.

THUS DONE, READ AND PASSED in the County and the State aforesaid, this 23<sup>rd</sup> day of March, 2005, in the presence of the tow undersigned competent witnesses, who have hereunto signed their names as such on the date, month and year first above written.

Witnesses:

Dick R. Gull

Address 130 Inverness Plz  
Birmingham, AL 35242

Edward L. Robinson

Edward L. Robinson, Ph.D. (Physics)

BOARD CERTIFIED VEHICLE ACCIDENT  
RECONSTRUCTIONIST (ACTAR #399)

Date of Birth: Sept 14, 1982

Telephone Number: (205) 991-9999

~~Certified~~ Accredited

Lisa F. Baldwin

Address 240 Meadowcroft Cr.

Date of Birth: 01-07-71

Telephone Number: 437-0781

Marilyn J. Braswell

Notary Public

*Sworn Affidavit of Edward L. Robinson, Ph.D.*

*Page 3 of 3*

*March 23, 2005*

THUS SIGNED this 23rd day of March, 2005.

Dell Durr

WITNESS

Address 130 Inverness Plz  
Birmingham, AL 35242

Edward L. Robinson

Edward L. Robinson, Ph.D. (Physics)

BOARD CERTIFIED VEHICLE ACCIDENT  
RECONSTRUCTIONIST (ACTAR #399)

Date of Birth Sept. 14, 1982

Telephone Number (205) 991-9999

Lisa F. Bullock

WITNESS

Address 240 Meadowcroft Cr.

Date of Birth 01-07-71

Telephone No, 437-0781

SWORN TO AND SUBSCRIBED TO BEFORE ME NOTARY PUBLIC on this  
23rd day of March, 2005 in the County of Shelby in the State of Alabama

Marilyn Braswell

NOTARY PUBLIC

My Commission Expires 2/28/09

# **EXHIBIT 3**

3/17/05

ROBINSON AND ASSOCIATES, L.L.C.  
233 OAKMONT ROAD  
BIRMINGHAM, ALABAMA 35244-3264  
PHONE 205-408-1692 • FAX 205-408-0874

E-MAIL: elrobinson@charter.net  
WEBSITE: www.elrobinson.ws

Dr. Edward A. Robinson III  
Attorney at Law  
600 North Foster Drive  
Baton Rouge, Louisiana 70806

Re: Vernell B. Morris Case

Dear Dr. Robinson,

The following is a summary of the activities and results to date in the reconstruction of the September 02, 2004 accident involving Vernel B. Morris, driving a 1998 Kenworth tractor and Edward N. Thompson, driving a 1995 Peterbilt tractor. The accident occurred on Interstate 85 northbound, between Macon County Road 30 and Macon County Road 93, in Macon County, Alabama.

**Reconstruction Activities**

During the course of the reconstruction, the following activities were completed.

- 1) The Alabama Uniform Traffic Accident Report (AUTAR) was carefully reviewed.
- 2) Photographs taken by the Alabama State Troopers were purchased and reviewed.
- 3) Alabama Department of Forensic Sciences' Autopsy Report (27AA-04MM00467) for Mr. Vernell Morris was carefully reviewed.
- 4) The cab of the 1998 Kenworth Tractor was inspected, photographed, and measured. This inspection was performed at Kern's Truck Parts near Atlanta, Georgia. Mr. Donald Glenn of Rimkus Engineering was also present at the time of my inspection.
- 5) Weather data for the date of the accident was obtained for the Montgomery, Alabama area from Weather Underground.
- 6) Moon illumination data was obtained from the US Naval Observatory, and from Weather Underground©.
- 7) Maps of the accident area were obtained from DeLorme Street Atlas 2004 Plus©.
- 8) Aerial photographs of the accident area were obtained from the US Geological Survey.

- 9) A forensic map of the accident area was created, and as scale diagram of the area was rendered.
- 10) Latitude and longitude coordinates for the accident site were obtained with an Entex hand-held global positioning system and verified with a Garmin global positioning system.
- 11) A link-node map of Macon County, Alabama was obtained from the Alabama Department of Transportation to verify the location of the collision.

#### **Site Description and Ambience**

Interstate 85 is a divided highway of asphalt construction, with two northbound and two southbound lanes. The lanes are divided by a grassy median. A standard yellow fog line marks the left hand side of the road, and a standard white fog line marks the right edge, separating the travel lanes from the asphalt emergency lane. Each travel lane is approximately 12 feet wide and the emergency lane is approximately 10 feet wide. Travel lanes are separated by a dashed white line.

In the area of the collision, the road is curved to the driver's right and level. This is a large, sweeping right-hand curve with a radius of approximately 7400 feet. In the 550 feet prior to the collision site, the roadway is level to within 1/10<sup>th</sup> of a foot. The opposing lanes are separated by a grassy median approximately 45 feet wide. The lowest point in the median is approximately 4.5 feet below the road surface. In the center of the median is a concrete drainage ditch, measuring approximately 1 foot in width and 4 inches in depth.

At the time of the collision, the road was dry. There is very little ambient light in the area, due to the rural nature of this portion of Macon County. At the time of the collision, the moon was waxing gibbous, with 85% of its visible surface showing. However weather reports indicate that the sky was cloudy at the time of the collision.

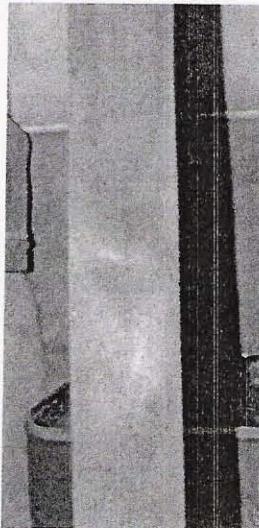
#### **Preliminary Findings**

Physical evidence shows that Mr. Morris was wearing his safety belt at the time of the accident, and was belted into the driver seat of the 1998 Kenworth when it was struck by the 1995 Peterbilt tractor.

This determination was made from an examination of the safety belt latch, the driver seat, and the safety belt. Photo #1 depicts the latch mechanism from the seatbelt, which was more probably than not destroyed from the force exerted on the belt due to the collision between the two trucks. The seatbelt latch is on the driver's right, and the vehicle rolled onto the driver's left. This strongly indicates that it is more probable than not, that damage resulted from the collision force between the trucks, rather than simply breaking due to the nearly static stress on the belt when the vehicle rolled.

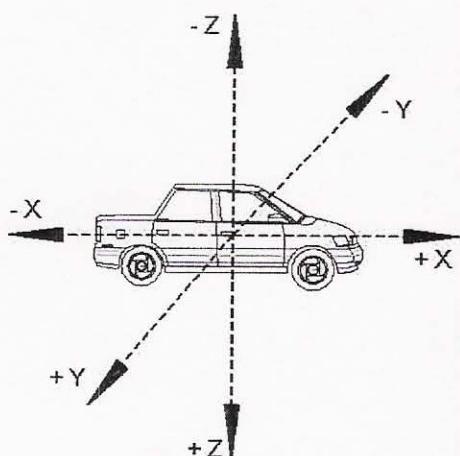
**Photo #1**

In addition to the latch, the seatbelt itself showed obvious signs of excessive loading, or force being applied to the belt that stretched it. Photo #2 shows the shiny areas where the belt was stretched and rubbed by the latch plate. Moreover, the seatbelt was locked in an extended position, not the rewound position, showing that it was more probably than not being worn at the time of the most severe impact.

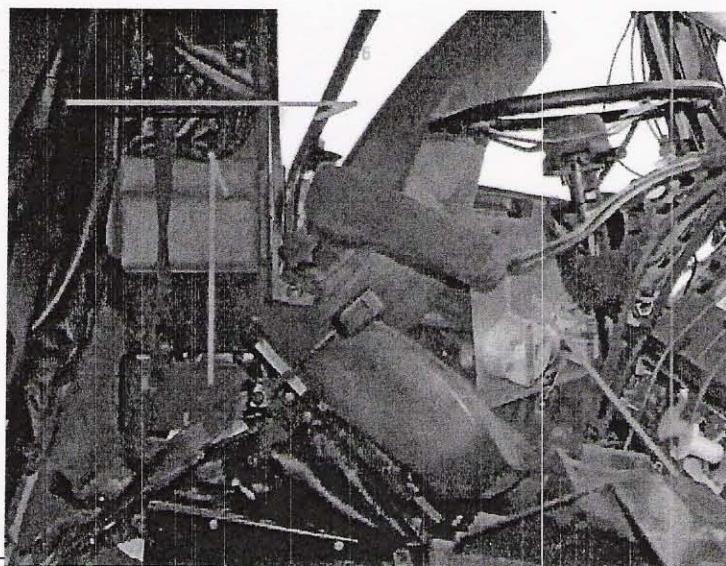
**Photo #2**

Upon inspection of the cab of the 1998 Kenworth, the driver seat was observed to be pushed up (from the floor) and forward toward the steering wheel, that is, deformation was experienced along the negative z axis (upwards, relative to the normal upright position of the truck) and along the positive x-axis (the normal forward direction of travel), and also along the negative y-axis (toward the left, or driver side of the truck). Photo #3 depicts the position of the driver seat when it was inspected, and a Cartesian coordinate system for reference.

Photo #3



CARTESIAN COORDINATES



The position of the seat and the fact that the deformation is most severe in the negative z and positive x directions shows clearly that the deformation is undoubtedly the result of the collision between the two trucks, not the result of the rollover experienced by the Kenworth just prior to the collision. The position of the seat corresponds to the pattern of injury documented by the Alabama Department of Forensic Sciences. According to the Autopsy Report, bruising was located at the anterior chest wall and lower abdominal wall, fractures of ribs #1-5 on the right, and ribs #1-7 on the left. Also noted was a lacerated spleen and bruising to the left arm and shoulder. These injuries are consistent with the belted driver being in the seat when the vehicle collision occurred. It therefore appears more probable than not that Mr. Morris would have been alive until the occurrence of the very severe impact that knocked the cab of the Kenworth tractor off its frame.

Photographs from the Alabama State Troopers show that both vehicle sustained extreme damage during the collision. However due to the lack of ambient light in the area, both vehicles would have more probably than not had their headlights 'on' while traveling on the highway. It is important to note that after experiencing the rollover, it is more probable than not that all or some of the lights on the truck and trailer remained 'on' and would have illuminated an area to the right of the roadway. It should also be noted that the precise location of the 1998 Kenworth (relative to the roadway, after the overturn and before the collision) is not known and cannot be discerned by the gouge marks and furrows visible at the time of our site inspection.

Remarkably absent from both the accident report and the Alabama State Troopers' scene photos are any visible skid marks from the Peterbilt tractor or the trailer it was towing. Upon impact with the trailer of the Kenworth, the Peterbilt pushed the Kenworth in a counter-clockwise arc, moving the cab of the Kenworth over 150 feet east-north-east. The cab of the Kenworth came to rest in the grassy median near the northern speed limit sign. The Peterbilt tractor came to rest across the road, with the drive wheels facing approximately south-south-west, leaving a diesel spill that was visible at the time of the inspection. Prior to this severe impact, the Peterbilt truck

left no visible skid marks, this is more probably than not because the driver did not brake, or because the truck's brakes were adjusted improperly, or the truck's brakes malfunctioned.

This represents the conclusions that we have reached to date in this matter. The opinions are based on the information that we have reviewed at the present time, and we reserve the right to alter them appropriately, should new and relevant information be discovered.

Please call if there is a need for clarification of or elaboration on any of the opinions discussed here.

Best Regards,

Edward L. Robinson, Ph.D.  
ACTAR #399

William F. Messerschmidt, MPA  
ACTAR #1372